

REMARKS

Applicants have carefully reviewed the Office Action dated October 30, 2007. Currently, claims 1-23 are pending in the application, wherein claims 1-12, 21 and 22 have been rejected, and claims 13-20 and 23 have been withdrawn from consideration consequent an Examiner-induced requirement for restriction. Claims 1, 3, 4, 6-10, 21 and 22 have been amended, claims 24-31 have been added, and claims 13-20 and 23 have been cancelled with this paper. No new matter has been added. Support for the amendments may be found, for example, at line 16 of page 2 through line 6 of page 4. Favorable consideration of the above amendments and following remarks is respectfully requested.

Claim 4 is objected to for apparently including a typographical and/or grammatical error. Applicants thank the Examiner for noting this error. Appropriate corrections to claim 4 have been made in an attempt to overcome this objection. Withdrawal of the objection is respectfully requested.

Claims 1-12, 21 and 22 stand rejected under 35 U.S.C. §102(b) as being anticipated by Sharrow, U.S. Pat. Pub. No. 2004/0167438. Applicants respectfully traverse this rejection.

As an initial matter, the Sharrow document has a filing date of February 26, 2003, which is less than 1 year before the filing date of the present application (i.e., October 30, 2003) and was not published until after the filing date of the present application. Therefore, Sharrow is not §102(b) prior art to the present application. Noting the filing date and publication date of Sharrow, the document would be available as prior art to the present application, if at all, under the provisions of §102(e).

Claim 1 includes the steps of winding the coil under tension over the polymer jacket and heating the jacket so that the coil moves inward into the polymer jacket, relieving the coil tension and wicking a portion of the polymer jacket between adjacent windings of the coil. Sharrow at least fails to teach these steps of the method of claim 1.

Sharrow discloses several alternative ways in which the reinforcing member (i.e, braid or coil) is fully or partially embedded within the jacket 20. These various ways are discussed throughout paragraph 37 of Sharrow. Throughout this paragraph, the reinforcing member is taught as being “disposed over” or “placed over” the jacket 20. With the reinforcing member “disposed over” or “placed over” the jacket 20, additional jacket material is placed over the

reinforcing member such that the reinforcing member is located between two layers or portions of the jacket.

At no point does Sharrow teach that the coil is wound under tension over the polymer jacket. For instance, it could be possible that the reinforcing member is pre-formed and slipped over the jacket 20 such that the coil is not placed in tension. Furthermore, at no point does Sharrow teach that upon heating of the jacket, the coil moves inward into the polymer jacket, relieving the coil tension and wicking a portion of the polymer jacket.

For at least these reasons, Sharrow does not anticipate claim 1. Claims 2 and 6, which depend from claim 1 and include additional limitations, are also believed allowable over the teachings of Sharrow for at least the reasons stated above. Withdrawal of the rejection is respectfully requested.

Claim 3 recites that the coil includes a fluorocarbon material. In formulating the rejection, reference was made to paragraphs 32-39 of Sharrow. Upon a careful review of these paragraphs of Sharrow and the remainder of the document, Applicants do not find any occurrence in which Sharrow teaches that the coil may include a fluorocarbon material.

At paragraph 36 of Sharrow, it is stated:

The coil may be made of a variety of materials including metals, metal alloys, polymers, and the like, as discussed in reference to the core wire. Some examples of material for use in the coil include materials such as those used for a braid, for example, high performance polymers, stainless steel, nickel-chromium alloy, nickelchromium-iron alloy, cobalt alloy, tungsten, tungsten alloy, Elgiloy, MP35N, or the like, or other materials. Some additional examples of suitable material include straightened super elastic (i.e., pseudoelastic) or linear elastic alloy (e.g., nickel-titanium) material, or alternatively, a polymer material, such as a high performance polymer.

It is apparent that a fluorocarbon material is not included in the list of possible materials for the coil of Sharrow. Additionally, paragraphs 17-23 of Sharrow, which discuss possible materials for the core wire 14, do not include a recitation that the core wire 14 may include a fluorocarbon material. Furthermore, possible materials for use as the braid are listed at paragraph 39. It is noted that this paragraph, additionally, does not include a recitation that the braid may include a fluorocarbon material.

Furthermore, similar to the discussion above regarding claim 1, Sharrow fails to disclose the steps of claim 3 of winding the coil under tension over the polymer jacket and heating the polymer jacket so that the coil tension is relieved and the outer surface of the jacket wicks between adjacent windings of the coil. As mentioned above, Sharrow teaches that the reinforcing member is “disposed over” or “placed over” the jacket 20. At no point does Sharrow teach that the coil is wound under tension over the polymer jacket. For instance, it could be possible that the reinforcing member is pre-formed and slipped over the jacket 20 such that the coil is not placed in tension.

For at least these reasons, Sharrow does not anticipate claim 3. Withdrawal of the rejection is respectfully requested.

Claim 4 recites that the coil includes a central core material and an outer coating surrounding the central core material. At no point does Sharrow disclose a coil including a central core material and an outer coating surrounding the central core material.

Furthermore, similar to the discussion above regarding claim 1, Sharrow fails to disclose the steps of claim 4 of winding the coil under tension over the polymer jacket and heating the polymer jacket so that the coil tension is relieved and the outer surface of the jacket wicks between adjacent windings of the coil. As mentioned above, Sharrow teaches that the reinforcing member is “disposed over” or “placed over” the jacket 20. At no point does Sharrow teach that the coil is wound under tension over the polymer jacket. For instance, it could be possible that the reinforcing member is pre-formed and slipped over the jacket 20 such that the coil is not placed in tension.

For at least these reasons, Sharrow does not anticipate claim 4. Claim 5, which depends from claim 4 and includes additional limitations, is also believed allowable over the teachings of Sharrow for at least the reasons stated above. Withdrawal of the rejection is respectfully requested.

Claim 7 recites the step of embedding the coil into the outer surface of the jacket in a manner that alters the shape of the outer surface of the jacket so that the outer surface of the jacket wicks outward between adjacent windings of the coil.

As mentioned above, Sharrow discloses several alternative ways in which the reinforcing member (i.e., braid or coil) is fully or partially embedded within the jacket 20. These various

ways are discussed throughout paragraph 37 of Sharrow. Throughout this paragraph, the reinforcing member is taught as being “disposed over” or “placed over” the jacket 20. With the reinforcing member “disposed over” or “placed over” the jacket 20, additional jacket material is placed over the reinforcing member such that the reinforcing member is located between two layers or portions of the jacket.

At no point does Sharrow suggest that the coil is embedded in the outer surface of the jacket in a manner that alters the shape of the outer surface of the jacket so that the outer surface of the jacket wicks outward between adjacent windings of the coil.

For at least these reasons, Sharrow does not anticipate claim 7. Claims 10-12, which depend from claim 7 and include additional limitations, are also believed allowable over the teachings of Sharrow for at least the reasons stated above. Withdrawal of the rejection is respectfully requested.

Claim 8 recites the step of embedding the coil into the outer surface of the jacket in a manner that alters the shape of the outer surface of the jacket so that the outer surface of the jacket wicks outward between adjacent windings of the coil.

As mentioned above, Sharrow discloses several alternative ways in which the reinforcing member (i.e., braid or coil) is fully or partially embedded within the jacket 20. These various ways are discussed throughout paragraph 37 of Sharrow. Throughout this paragraph, the reinforcing member is taught as being “disposed over” or “placed over” the jacket 20. With the reinforcing member “disposed over” or “placed over” the jacket 20, additional jacket material is placed over the reinforcing member such that the reinforcing member is located between two layers or portions of the jacket.

At no point does Sharrow suggest that the coil is embedded in the outer surface of the jacket in a manner that alters the shape of the outer surface of the jacket so that the outer surface of the jacket wicks outward between adjacent windings of the coil.

Furthermore, claim 8 further recites that the step of disposing a coil over the jacket includes winding the coil under tension about the outer surface of the jacket. Sharrow does not teach this limitation of claim 8. As mentioned above, Sharrow teaches that the reinforcing member is “disposed over” or “placed over” the jacket 20. At no point does Sharrow teach that the coil is wound under tension over the jacket. For instance, it could be possible that the

reinforcing member is pre-formed and slipped over the jacket 20 such that the coil is not placed in tension.

For at least these reasons, Sharrow does not anticipate claim 8. Withdrawal of the rejection is respectfully requested.

Claim 9 recites the step of embedding the coil into the outer surface of the jacket in a manner that alters the shape of the outer surface of the jacket so that the outer surface of the jacket wicks outward between adjacent windings of the coil.

As mentioned above, Sharrow discloses several alternative ways in which the reinforcing member (i.e., braid or coil) is fully or partially embedded within the jacket 20. These various ways are discussed throughout paragraph 37 of Sharrow. Throughout this paragraph, the reinforcing member is taught as being “disposed over” or “placed over” the jacket 20. With the reinforcing member “disposed over” or “placed over” the jacket 20, additional jacket material is placed over the reinforcing member such that the reinforcing member is located between two layers or portions of the jacket.

At no point does Sharrow suggest that the coil is embedded in the outer surface of the jacket in a manner that alters the shape of the outer surface of the jacket so that the outer surface of the jacket wicks outward between adjacent windings of the coil.

Furthermore, similar to the discussion above regarding claim 1, Sharrow fails to disclose the steps of claim 9 of winding the coil under tension about the outer surface of the jacket and heating the polymer jacket so that the coil tension is relieved and the outer surface of the jacket wicks between adjacent windings of the coil. As mentioned above, Sharrow teaches that the reinforcing member is “disposed over” or “placed over” the jacket 20. At no point does Sharrow teach that the coil is wound under tension over the polymer jacket. For instance, it could be possible that the reinforcing member is slipped over the jacket 20 such that the coil is not placed in tension.

For at least these reasons, Sharrow does not anticipate claim 9. Withdrawal of the rejection is respectfully requested.

Claim 21 recites that the coil includes a fluorocarbon material. As discussed above, Sharrow fails to teach that the reinforcing member may include a fluorocarbon material. Namely, it is apparent that a fluorocarbon material is not included in the list of possible materials

for the coil of Sharrow found at paragraph 36. Additionally, paragraphs 17-23 of Sharrow, which discuss possible materials for the core wire 14, do not include a recitation that the core wire 14 may include a fluorocarbon material. Furthermore, paragraph 39, which lists possible materials for use as the braid, does not include a recitation that the braid may include a fluorocarbon material.

Furthermore, similar to the discussion above regarding claim 1, Sharrow fails to disclose the steps of claim 21 of disposing the coil under tension about the proximal section of the jacket and heating the thermoplastic jacket so that the tension of the coil is relieved and the coil embeds within the jacket. As mentioned above, Sharrow teaches that the reinforcing member is "disposed over" or "placed over" the jacket 20. At no point does Sharrow teach that the coil is wound under tension over the polymer jacket. For instance, it could be possible that the reinforcing member is pre-formed and slipped over the jacket 20 such that the coil is not placed in tension.

For at least these reasons, Sharrow does not anticipate claim 21. Withdrawal of the rejection is respectfully requested.

Claim 22 recites that the coil includes a fluorocarbon material. As discussed above, Sharrow fails to teach that the reinforcing member may include a fluorocarbon material. Namely, it is apparent that a fluorocarbon material is not included in the list of possible materials for the coil of Sharrow found at paragraph 36. Additionally, paragraphs 17-23 of Sharrow, which discuss possible materials for the core wire 14, do not include a recitation that the core wire 14 may include a fluorocarbon material. Furthermore, paragraph 39, which lists possible materials for use as the braid, does not include a recitation that the braid may include a fluorocarbon material.

Furthermore, similar to the discussion above regarding claim 1, Sharrow fails to disclose the steps of claim 22 of disposing the coil under tension about the proximal section of the jacket and heating the thermoplastic jacket so that the tension of the coil is relieved and the coil embeds within the jacket. As mentioned above, Sharrow teaches that the reinforcing member is "disposed over" or "placed over" the jacket 20. At no point does Sharrow teach that the coil is wound under tension over the polymer jacket. For instance, it could be possible that the

reinforcing member is pre-formed and slipped over the jacket 20 such that the coil is not placed in tension.

For at least these reasons, Sharrow does not anticipate claim 22. Withdrawal of the rejection is respectfully requested.

The newly added claims depend from one of the pending independent claims and add additional limitations. For at least the reasons stated above, Sharrow fails to teach each limitation of these claims. Therefore, these claims are additionally believed to be in condition for allowance.

Reexamination and reconsideration are requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is also respectfully requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

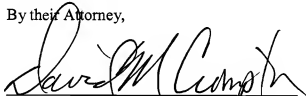
Respectfully submitted,

Brian R. Reynolds et al.

By their Attorney,

Date: _____

1/30/08



David M. Crompton, Reg. No. 36,772
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, MN 55403-2420
Telephone: (612) 677-9050
Facsimile: (612) 359-9349